

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT JOHNSON,

Plaintiff,

-v-

9:11-CV-627
(DNH/DRH)

CORRECTIONS OFFICER TRUEDO and
CORRECTIONS OFFICER HAZE,

Defendants.

APPEARANCES:

OF COUNSEL:

ROBERT JOHNSON
Plaintiff Pro Se
Apartment 2
104 Winnikee Avenue
Poughkeepsie, NY 12601

HON. ERIC T. SCHNEIDERMAN
Attorney General for the State of New York
Attorney for Defendants
The Capitol
Albany, NY 12224

DOUGLAS J. GOGLIA, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff brought this action pursuant to 42 U.S.C. § 1983. On June 15, 2012, the Honorable David R. Homer, United States Magistrate Judge, advised, by Report-Recommendation, that defendants' motion to dismiss be denied. No objections to the Report-Recommendation were filed.

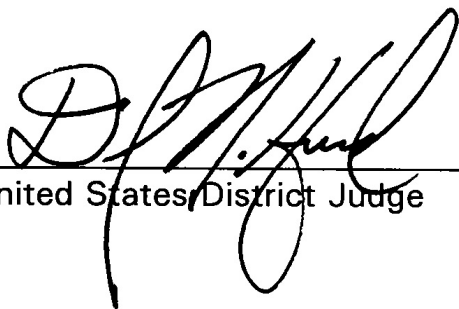
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. 636(b)(1).

Therefore it is

ORDERED that

Defendants' motion to dismiss is DENIED.

IT IS SO ORDERED.


United States District Judge

Dated: July 26, 2012
Utica, New York.